

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA 2007 JAN 24 PM 1:10
WAYCROSS DIVISION

CLERK *M. Janet*
SO. DIST. OF GA.

ERIC COLEMAN,

Plaintiff,

v.

CIVIL ACTION NO.:CV506-046

RANDALL HOLDEN,

Defendant.

ORDER

After an independent review of the record, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court.

Defendant's pre-answer Motion to Dismiss is **GRANTED** in part and **DENIED** in part. Plaintiff's ADA claim against Defendant is dismissed. Plaintiff's First Amendment retaliation claim remains pending. Defendant is directed to file an Answer to the Complaint within twenty (20) days of the date of this Order.

SO ORDERED, this 24th day of January, 2007.

WILLIAM T. MOORE, JR.
WILLIAM T. MOORE, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA